

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

April 15, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, April 15, 1981 in the City Hall Council Chambers.

ROLL CALL	Present: Councilmen - Hughes, Katnich, Murphy, Pinkerton and Mayor McCarty
	Absent: Councilmen - None
	Also City Manager Glaves
	Present: Assistant City Manager Glenn, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche
INVOCATION	The invocation was given by Reverend Bob Weishoff, Emanuel American Lutheran Church.
PLEDGE OF ALLEGIANCE	Mayor McCarty led the Pledge of Allegiance to the Flag.
PROCLAMATIONS	The following Proclamations were presented:
	a) "California VICA Week"
	b) "Grand Jury Week"
RESOLUTION OF APPRECIATION	Mayor McCarty presented retired City employee Olaf Bingen a "Resolution of Appreciation" thanking him for his many years of dedicated service to the City.
COMMUNICATIONS	
RESOLUTION ENDORING PRESIDENTS PROGRAMS	City Clerk Reimche presented a letter which had been received from Congressman Norman D. Shumway commending the City of Lodi for its Resolution No. 81-19 - "Resolution of the City Council of the City of Lodi Endorsing Various Programs Proposed by the President of the United States".
LOCOMOTIVE WHISTLES	Copies of Ordinances pertaining to the pro- hibition of the use of locomotive whistles which had been received from the cities of Placentia and Anaheim were presented for Council's perusal. Council directed the City Clerk to correspond with Mr. Wilson, who had asked the Council to check into the matter, apprising Mr. Wilson of the information received and the fact that the subject Ordinances dealt only with areas where there were gate instal- lations.
PUBLIC INPUT	There was no response to Mayor McCarty's inquiry as to whether there was anyone in the audience wishing to speak on a non-agenda item.
ABC LICENSES	City Clerk Reimche presented the following applications for Alcoholic Beverage Licenses which had been received:
	a) Dennis H. Norgard and Kenneth L. Whitehouse, Farmer's and Merchants Mercantile, On Sale Beer and Wine Eating Place.

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- b) Azia A. Hararah, E. and L. Market,
Off-Sale Beer and Wine
- c) PNW, Inc., Edward B. Hart, President,
Eugene W. Guinn, V.P./Treas., and
Noel Flynn, Secretary, Pay Less Super
Drug Stores - Off-Sale General
- d) Elias G. Aguilar and Rosemarie Aguilar,
Three Aces Tavern, On-Sale Beer and
Wine Public Premises
- e) Baseball, Inc., Michele L. Sprague,
Pres., Edward Sprague, Vice Pres.,
and Robert Carruesco, Secretary, Lodi
Dodgers Baseball Club, On-Sale Beer
Seasonal

CLAIMS

23-4(3)

On recommendation of R.L. Kautz and Co., the City's Contract Administrator and the City Attorney, Council, on motion of Councilman Katnich, Murphy second, denied the Claim filed on behalf of Bubbles Ciralsky and referred the matter to R.L. Kautz and Co.

PUC
APPLICATIONS

22-4(1)

City Clerk Reimche presented a letter which had been received from PG&E stating that in PUC Application No. 60412, it has requested authorization to become a participant in the integrated coal gasification combined cycle demonstration program at Cool Water and to authorize concurrent recovery of its expenditures resulting from such participation.

COMMENTS BY
CITY COUNCILMEN

MEMORANDUM
FROM MAYOR
McCARTY

23-4

Councilman Pinkerton responded to a Memorandum that had been authorized by Mayor McCarty and addressed to the City Council and City Manager. The Memorandum, among other things, addressed the subjects of COG - transportation, Council representation at various functions, etc.

CITY OF SPARKS
DISPOSAL SYSTEM
STUDIED

23-4

Mayor McCarty expressed his thanks to Councilman Pinkerton and Mayor Pro Tempore Murphy for the time they had taken to go to Sparks to study that City's disposal system.

REPORTS OF THE
CITY MANAGER

CONSENT
CALENDAR

In accordance with report and recommendation of of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Hughes, Murphy second, were approved by Council.

* * * * *

CLAIMS

22-4

CLAIMS WERE APPROVED IN THE AMOUNT OF \$903,818.45.

MINUTES

THE MINUTES OF MARCH 18, 1981 AND APRIL 1, 1981 WERE APPROVED AS WRITTEN.

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ACCEPTANCE OF
"CLUFF AVENUE
STORM DRAIN,
PHASE I"

02-14(a)

Council was apprised that the contract which had been awarded to Crutchfield Construction Co., Inc., of Stockton on January 7, 1981 in the amount of \$39,696 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "CLUFF AVENUE STORM DRAIN, PHASE I" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF
"CHEROKEE LANE
STORM DRAIN"

02-14(a)

Council was informed that the contract which had been awarded to Teichert Construction on February 4, 1981, in the amount of \$5,658 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "CHEROKEE LANE STORM DRAIN, VINE STREET TO 250' S/VINE STREET" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

STOP SIGNS
ESTABLISHED -
OAK STREET AND
WALNUT AT CRESCENT
AVENUE

RES. NO. 81-34

02-48H

Council was informed that the Public Works Department has received a petition to install stop signs on Oak at Crescent. In December 1976, the City of Lodi installed YIELD signs at these two intersections in an effort to reduce accidents. Accident records, at that time, showed that in the one year previous to the YIELD sign installations, there had been seven accidents at Walnut and Crescent and five at Oak and Crescent. The installation of YIELD signs reduced accidents to the extent that in the following three years, there were seven accidents at Walnut and Crescent and five at Oak and Crescent. On recommendation of Staff, Council adopted the following Resolution:

RESOLUTION NO. 81-34

RESOLUTION ESTABLISHING STOP SIGNS ON OAK STREET AT CRESCENT AVENUE AND ON WALNUT STREET AT CRESCENT AVENUE

R/W AGREEMENTS
WITH ANAGNOS
APPROVED

02-21(a)

COUNCIL APPROVED AGREEMENTS BETWEEN THE CITY AND LEO ANAGNOS AND THE CITY AND PANAGIOTA ANAGNOS AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE SAME FOR THE CITY OF LODI.

CONTRACT FOR
"LAWRENCE PARK
PARKING LOT
RECONSTRUCTION,
LOCKEFORD
STREET AT
WASHINGTON
STREET"
AWARDED

02-12(a)

Council was apprised that the following bids had been received for the contract for "Lawrence Park Parking Lot Reconstruction, Lockeford Street at Washington Street":

RES. NO. 81-35

<u>BIDDER</u>	<u>BASE AND ALT. A</u>	<u>BASE AND ALT. B</u>
Claude C. Wood Co.	\$28,841.00	\$31,896.00
Crutchfield Construc-		
tion	\$28,845.00	\$32,030.00
Teichert Construction	\$30,962.10	\$34,296.60
Granite Construction	\$34,347.00	\$43,344.00

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Following recommendation of the City Manager,
Council adopted the following Resolution:

RESOLUTION NO. 81-35

RESOLUTION AWARDING THE CONTRACT FOR "LAWRENCE PARK PARKING LOT RECONSTRUCTION, LOCKEFORD STREET AT WASHINGTON STREET" TO CLAUDE C. WOOD, THE LOW BIDDER, IN THE AMOUNT OF \$28,841 (ALTERNATE A) (Under this alternate, extruded concrete curbing will be used - installed in lieu of formal curbing)

PROPOSED TURNER
ROAD AND CLUFF
AVENUE
ASSESSMENT
DISTRICT NO. 1

RES. NO. 81-36,
81-37, 81-38
81-39 and 81-40

Agenda item "h" - "Proposed Turner Road and Cluff Avenue Assessment District No. 1" was introduced by City Manager Graves. Mr. Graves then introduced Attorney Timothy J. Hachman of the law firm of Blewett, Garretson et al who explained the proposed proceedings in detail for the benefit of the City Council. Following discussion with questions being directed to Mr. Hachman and to Staff, Council, on motion of Councilman Pinkerton, Katnich second, adopted the following Resolutions:

- a) Resolution No. 81-36 - "Resolution Determining Compliance with Division 4 of the Streets and Highway Code and Determining to Undertake Proceedings"
- b) Resolution No. 81-37 - "Resolution Appointing Engineers and Attorneys"
- c) Resolution No. 81-38 - "Resolution Describing Proposed Boundaries"
- d) Resolution No. 81-39 - "Resolution of Intention to Acquire and/or Construct Improvements"
- e) Resolution No. 81-40 - "Resolution Authorizing Negotiations for Sale of Assessment Bonds at Private Sale"

REQUEST FOR
2-HOUR LIMIT
PARKING ZONES ON
EAST LODI
AVENUE

Council was apprised that the City had earlier received a petition from 14 owners of business establishments in the 300, 400, and 500 blocks of East Lodi Avenue (Washington Street to Cherokee Lane) requesting 2-hour limited parking zones in front of their businesses. The zones, 3 to 5 spaces each, would be placed directly in front of the businesses with the remainder of the street remaining as is.

Staff reported that to determine the need for these zones, the Public Works Department determined the number of available on-street spaces per block face and the parking demand for these spaces; interviewed business owners; and reviewed foreseeable signing and enforcement problems.

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Staff further reported sixteen observations made in the field during the study showed that although there was an ample number of vacant parking spaces within each block face at all times, at some times vacant stalls were not directly in front of the business establishments. At no time was there a vacant space more than 150 feet from any business, and at no time was there more than 75% occupancy in any block face.

Parking study exhibits were presented for Council's perusal.

The petitioners have indicated the requested zones would be established only in front of businesses and not adjacent to existing residences. The City of Lodi Code does not specify a curb color for 2-hour parking and, therefore, the limits of each zone would necessarily be controlled by signing.

The petition further states the "problem of enforcement of these zones would be carried out by the City police working in conjunction with the merchants". This method would involve the merchant contacting the Police Department after a vehicle has been parked longer than 2 hours; the Police Dept. then dispatching a patrol car to the area to mark the tires and returning to the area two hours later to ticket the vehicle if it is still there. This could cause some problems regarding "unequal enforcement". Robert Baysinger of the Traffic Court was contacted. While he would not be prejudiced, he agrees that mixed parking might be a problem, but each case would be judged on its merits. The Police Dept. has been contacted and their comments were presented for Council's perusal.

The Engineering Division recommends against the special zoning for the following reasons:

1. East Lodi Avenue is zoned as commercial through the entire length of the study area. The 2-hour limits would need to be extended or eliminated upon any changes in usage from residential to commercial or from commercial to residential.
2. The majority of the businesses along the Avenue do not appear to have sufficient parking problems to warrant the time limit restrictions. Although, at times, parking is not available directly in front of a business, it is available a short distance away.
3. Signing of the 3 to 5 space zones will be difficult and costly to the City; confusing to motorists; and create enforcement problems.
4. In effect, the proposed method of enforcement (merchant and police) creates a 4-hour plus time limit and may not serve the intended purpose.

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5. East Lodi Avenue is not too different from West Lodi Avenue, Cherokee Lane, or West Lockeford St. The establishment of 2-hour parking on East Lodi Avenue may encourage requests from other areas.

Following a lengthy discussion with questions being directed to Staff, Council, on motion of Councilman Katnich, Hughes second, denied the request for 2-hour limit parking zones on East Lodi Avenue. The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, and McCarty

Noes: Councilmen - Murphy and Pinkerton

Mayor McCarty concluded the discussion regarding this item with the statement that the City will continue to monitor this situation and assist both the commercial and residential community in this area.

AWARD - CONTRACT
WELL #19 SITE
IMPROVEMENTS

The following bids which had been received for the contract for "Well #19 Site Improvements" were presented for Council perusal:

RES. NO. 81-41

	BIDDER	BID (Alt. A Total)
	Case Construction Co.	\$20,070.00
	Neth Construction Co.	\$21,285.00

Council was reminded that the original bids which were received on March 11, 1981 were rejected because of a bid error and the City Clerk was directed to readvertise for bids.

Following recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Murphy, Hughes second, adopted Resolution No. 81-41 awarding the Contract for "Well #19 Site Improvements" to Case Construction Company, the low bidder, in the amount of \$20,070.

APPROVE "AMENDING
AGREEMENT TO
THE AGREEMENT
FOR THE SALE
OF ELECTRIC POWER
AND ENERGY TO
THE CITY OF
LODI"

Agenda item "k" - Approve "Amending Agreement to the Agreement for the Sale of Electric Power and Energy to the City of Lodi" was introduced by City Manager Glaves. The City Manager apprised the Council that NCPA and certain member cities, including Lodi, have entered into power purchase contracts with the Bonneville Power Administration and certain other utilities located in the Pacific Northwest (Northwest Entities). Such contracts provide for the purchase of nonfirm energy (Northwest Energy) to be delivered to PG&E at or near the Oregon-California border. NCPA has entered into a contract (Interruptible Transmission Service Contract between PG&E and NCPA) with PG&E for interruptible transmission service for such Northwest Energy to NCPA member cities, in amounts as shall from time to time be designated by NCPA under provisions of the Transmission Contract.

RES. NO. 81-42

Lodi has contracted with NCPA to allow NCPA to act on Lodi's behalf in arranging with

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PG&E for the transmission of such Northwest Energy from the California-Oregon border to PG&E's existing electric delivery point for Lodi.

Lodi has requested that the 1970 Agreement be amended to accomodate the delivery of Northwest Energy to Lodi and PG&E is willing to accomodate Lodi's request.

Following discussion with questions being directed to Staff, Council, on motion of Mayor Pro Tempore Murphy, Katnich second, adopted Resolution No. 81-42 approving "Amending Agreement to the Agreement for the Sale of Electric Power and Energy to the City of Lodi" and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City.

APPROVE "NCPA
SERVICE
SCHEDULE,
PG&E-NCPA
INTERRUPTIBLE
TRANSMISSION
SERVICE
CONTRACT"

RES. NO. 81-43

City Manager Graves presented for Council's perusal a copy of "NCPA Service Schedule, PG&E-NCPA Interruptible Transmission Service Contract". Council was apprised that the Agency has received a signed copy of the Interruptible Transmission Service Contract from PG&E. For NCPA to act on behalf of Lodi under this Agreement, it is necessary for the Agency to have a contract with the City. Under the terms of the service schedule and interruptible Transmission Contract, there is no obligation or liability to the City unless the City specifically requests delivery of energy under this service schedule.

On motion of Councilman Katnich, Murphy second, Council adopted Resolution No. 81-43 approving "NCPA Service Schedule, PG&E-NCPA Interruptible Transmission Service Contract", and authorizing the Mayor and City Clerk to execute the Contract on behalf of the City.

NCPA NO. 3
GEOTHERMAL
PROJECT

RES. NO. 81-44

City Manager Graves apprised the Council that NCPA has a contract with the Shell Oil Company to supply geothermal steam for the 110 MW* Electric Generating Plant (NCPA No. 2) currently under construction in the Geysers area. Shell has advised NCPA that there is sufficient steam in the "East Block" development area to fuel an additional power plant. This plant, to be known as NCPA No. 3, is also expected to have a capacity of 110 MW and consist of two 55 MW units; Unit 1 to come on line late in 1985 and Unit No. 2, in 1986. Formal decisions regarding member participation in this generating facility are being made at this time and a member agreement will be executed in the near future. A preliminary informal agreement has allocated 14.64% to Lodi, as full participation.

*Gross power output

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This matter had been discussed by the Council at an earlier Informal Informational Meeting. Following discussion with questions being directed to Staff, Council, on motion of Councilman Hughes, Mayor Pro Tempore Murphy second, adopted Resolution No. 81-44 approving participation in the NCPA No. 3, 110 NW Geothermal Project, in an amount to be governed by the City's ability to finance same.

CHURCH STREET
RECONSTRUCTION

The City Council received copies of a letter that had been sent out to property owners in the area of the proposed Church Street Reconstruction. Council was reminded that a public hearing had been set for 8:00 p.m., May 6, 1981 on the negative declaration and project alternatives of this project.

VOTING RIGHTS
ACT MINORITY
LANGUAGE
REQUIREMENTS

Mayor McCarty asked City Clerk Reimche to brief the Council on a letter she had received from David H. Hunter, Attorney, Voting Section of the U.S. Justice Department concerning the application of the minority language requirements of the Voting Rights Act to the City of Lodi. The letter indicated that "the City of Lodi might better focus its minority language efforts on the provision of Spanish language oral assistance in voting precincts that have significant numbers of actual or potential voters of Spanish heritage who are not proficient in the English language and on publicity for the availability of such assistance".

PROPOSED
ORDINANCE RE
PERMIT FOR USE
OF CITY
FACILITIES

City Attorney presented for Council's perusal a proposed Ordinance entitled, "An Ordinance of the City Council of the City of Lodi Amending Chapter 15 of the Lodi Municipal Code to Add A New Article III Thereto entitled, "Permit for Use of City Facilities". Mayor McCarty asked the City Clerk to agenda this item for the May 6, 1981 regular Council meeting.

ADJOURNMENT

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 9:15 p.m. on motion of Mayor Pro Tempore Murphy, Pinkerton second.

ATTEST:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk